

# Order

Michigan Supreme Court  
Lansing, Michigan

November 7, 2008

Clifford W. Taylor,  
Chief Justice

137543 & (27)(28)

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

LESLIE SHANKSTER,  
Plaintiff-Appellee,

v

SC: 137543  
COA: 284850  
St. Clair CC: 07-001562-NF

FARM BUREAU MUTUAL INSURANCE  
COMPANY OF MICHIGAN,  
Defendant-Appellant.

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On order of the Court, the motion for immediate consideration of the motion to stay is GRANTED. The application for leave to appeal the September 11, 2008 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration as on leave granted. The motion to stay the trial court proceedings is GRANTED, and the proceedings in the St. Clair Circuit Court are stayed pending the completion of this appeal. On motion of a party or on its own motion, the Court of Appeals may modify, set aside, or place conditions on the stay if it appears that the appeal is not being vigorously prosecuted or if other appropriate grounds appear.

CAVANAGH and KELLY, JJ., would deny leave to appeal.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 7, 2008

*Corbin R. Davis*

Clerk